

**ANNUAL REPORT TO THE GOVERNOR AND THE LEGISLATURE  
ON THE SIGNIFICANT ACCOMPLISHMENTS OF  
THE DELTA PROTECTION COMMISSION FOR THE YEAR 2007**



## **EXECUTIVE SUMMARY**

The Sacramento-San Joaquin Delta is a natural resource of statewide, national, and international significance, containing irreplaceable components that include agricultural lands, diverse habitat, and recreational opportunities. As demonstrated through the adoption of the Delta Protection Act (Act) by the Legislature and the Governor in 1992, it is the policy of the State to recognize, preserve, protect and enhance Delta resources for the use and enjoyment of current and future generations.

The Delta Protection Commission (Commission) was created pursuant to the Act to assure orderly, balanced, conservation and development of Delta land resources while recognizing the importance of maintaining and improving flood protection to ensure an increased level of public health and safety. The designation of the Primary and Secondary Zones of the Delta, and the establishment of policies through the completion of the Land Use and Resource Management Plan for the Primary Zone of the Delta (Regional Plan), have provided the framework for effectively carrying out the role of the Commission as provided for in the Act.

Recognition of the unique values of the Delta, and their importance to the people of the State of California, as well as nationally and internationally, was most recently emphasized and confirmed in 2007 by Governor Schwarzenegger's Executive Order S-17-06, which established the Delta Vision Blue Ribbon Task Force (Task Force). Pursuant to the Order, the Task Force is charged with developing a durable Vision for sustainable management and Strategic Implementation Plan by October 2008.

The timing of this direction has emphasized the value and importance of the Commission's commitment to the Delta through the implementation of its Regional Plan and the strategies of its 2006-2011 Strategic Plan to effectively and collaboratively accomplish its vision and mission adopted in July of 2006 as cited below:

### **VISION**

*The Delta in the year 2011 is a dynamic and living system*

### **MISSION**

*To protect, maintain, and where possible, enhance and restore the overall quality of the Delta environment consistent with the Act and the Regional Plan, including, but not limited to agriculture, wildlife habitat and recreational activities; to ensure orderly, balanced conservation and development of Delta land resources and improve flood protection.*

Significant accomplishments of the Commission, in 2007, to effectively and efficiently achieve its Vision and Mission, and to successfully meet the expectations of the Administration and the Legislature, are summarized below and highlighted in greater detail throughout this report along with background information about the Act and the Commission:

#### Land Use Appeal Authority

The Commission's appeal authority was confirmed in 2007 as the Commission fulfilled its responsibility of facilitating the process for hearing, and acting upon, two appeals filed in 2006 relative to a local land use decision. The Commission determined that three of the eleven policies that were the subject of the appeals were inconsistent with the Commission's Regional Plan. This action resulted in the project being remanded back to the local entity for further consideration and action pursuant to the appeal process.

The Commission has been successful in promoting the inclusion of a Delta Element or Delta Chapter in the General Plans of the four counties that are currently going through General Plan update processes.

A Delta Checklist has been developed for use by Delta entities when processing applications for projects in the Delta Primary Zone in order to assure that actions taken for approval are consistent with the policies of the Commission's Regional Plan.

The process to update the Commission's Regional Plan adopted in 1995 has been initiated to take into consideration increasingly new information about the state of the Delta, Delta Vision, and natural influences such as climate change.

Relative to Delta governance, the Commission has developed an array of tools for development of an effective structure utilizing existing structures as models for enhancing Commission authority to effectively implement time-sensitive mandates and benchmarks established through a statewide process such as Delta Vision. The Commission's existing authority under the Act and the policies of the Regional Plan (adopted in Delta local government general plans) provide a basis for such enhancement.

#### Legislative/Administration Mandates

Assembly Bill 797 (Wolk) became effective January 1, 2007. Pursuant to this legislation, the Commission's membership has been strengthened with the addition of four members (three of which are appointees of the Governor), an increase in its appeal authority by allowing the initiation of an appeal by the Commission as well as by a third party, and increased tools for facilitation of long-term agricultural land conservation in the Delta by allowing for easements in the Primary Zone for projects in the Secondary Zone.

Senate Bill 1556 (Torlakson) became effective January 1, 2007. Pursuant to this legislation, the Commission has initiated facilitation of the feasibility and planning process for the creation of a Delta trail network as a link between the San Francisco Bay Trail and Sacramento area trails, and has solicited funding and staffing resources to support the process.

Executive Order S-17-06 – Delta Vision. The Commission has actively participated in the Delta Vision process. Six members of the Commission serve on the Delta Vision Stakeholder Coordination Group (appointed by the Secretary for Resources) and the Commission’s Executive Director is a member of the Delta Vision Planning Team. Priority for this participation has been to assure member entity input into the process to reflect stakeholder, local government, regional government and state perspectives. Additionally, the Commission has provided the Blue Ribbon Task Force with input relative to Governance as well as the current mandates to the Commission pursuant to the Act.

A legislative concept to provide for Commission Member alternates has been submitted for consideration by the Secretary for Resources and subsequently the Legislature and the Governor. This provision will assure a quorum for effective Commission action.

### Funding Strategy and Staffing

Pursuant to Commission action in July of 2007, the Commission’s budget (funded by two special funds: the State Environmental License Plate Fund, and the Harbors and Watercraft Fund) will

| <i>Commission Funding</i>               |                  |
|---|------------------|
| <i>2006-07</i>                          | <i>2007-08</i>   |
| <i>Environmental License Plate Fund</i> | <i>\$155,000</i> |
| <i>\$172,000</i>                        |                  |
| <i>Harbors and Watercraft Fund</i>      |                  |
| <i>\$222,000</i>                        | <i>\$222,000</i> |

be supplemented in 2008 by contributions from member entities, in addition to grants and reimbursement opportunities, and other additional funding sources that have been

realized in 2007. In order to effectively implement the Strategic Plan, consistent with the Commission’s focus to be more than a tracking and monitoring entity, staffing enhancements have been enabled by the budgetary effectiveness realized in 2007. The addition of a deputy director level position to implement special projects as well as the utilization of graduate student resources has provided the support needed by the Commission to meet the expectations of the Governor and the Legislature, consistent with the Act.

As a result of effectively implementing the Funding Strategy of the Commission’s Strategic Plan, enhancements of staffing resources were realized in 2007. The budget has been made whole through streamlined administration and the addition of reimbursements from grants and services provided by Commission staff. This has provided the staffing support of both Commission staff and consultants necessary to effectively and efficiently implement the priorities identified in the Strategic Plan and the policies of the Regional Plan.

*The Commission serves as a forum for promoting and facilitating Delta-wide collaboration on issues of importance to overall quality of the Delta environment.*



### Delta Advocacy

Pursuant to the direction provided with the adoption of the 2006-2011 Strategic Plan, the Commission has progressed from a “tracking and monitoring” entity to a forum for promoting and facilitating Delta-wide collaboration in a number of areas both to address issues the Delta is facing as well as identifying areas of opportunity as the voice of those who live, work and play in the Delta. A significant accomplishment in this area has been the placement of “Welcome to the Delta” signs throughout the five

Delta counties and County contributions toward collaborative efforts as stewards of the Delta. This recognition of responsibility by the five counties, numerous cities, and multiple regional entities has been substantially attributed to the efforts of the Commission commencing in 2006 and continuing throughout 2007.

The Commission has actively developed outreach tools to promote awareness of the Delta and to encourage partnerships and stewardship in the management of the resources of the Delta. The Commission's outreach through exhibits at workshops and participation in conference and workshop panels, as well as communication with the media, has increased awareness of the Delta. The web site of the Commission has been significantly upgraded to provide a user-friendly tool for public awareness. Additionally, the Commission has come to be relied upon by a number of entities for the distribution of information pertaining to matters relative to the Delta through the maintenance of 300 plus interested parties e-mail list. Facilitating and conducting tours of the Delta relative to a broad array of subjects for diverse audiences has also become a routine outreach tool utilized by the Commission.

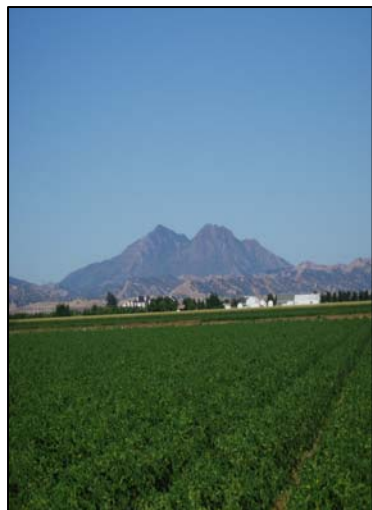
*The Commission serves as a forum for promoting and facilitating Delta-wide collaboration on issues of importance to overall quality of the Delta environment.*

The Commission has also been successful in sponsoring Coastal Clean-up sites in four of the five Delta counties. This was an improvement over 2006 in which sites in two counties were sponsored. This effort has tremendously increased awareness of the Delta and the importance of protecting and preserving its valuable and unique resources.

#### Delta Emergency Planning and Response

As a result of the Commission's sponsorship of a Summit for Delta Local Elected Officials to discuss concerns that the social implications of emergency situations were not being addressed to the same level as were the technical aspects, a collaborative process for Delta-wide collaboration and coordination has been initiated to enhance existing efforts underway. A process was embarked upon in 2007 to implement a concept developed by the Commission and its partners (County emergency response managers, State Office of Emergency Services, Department of Water Resources, and the Center for Collaborative Policy from CSUS) to: identify existing Delta emergency planning and response entities, plans and processes; develop public outreach tools; and enhance Delta-wide collaboration through the development of united (cross-county) plans and tools for assuring social and technical aspects of emergency preparedness and response are met.

*The Commission is facilitating Delta-wide Emergency Response Planning.*



#### Delta Agricultural Easement Program

Reflective of the mandates of the signing of Assembly Bill 797 by the Governor, the Commission has initiated a process to establish principles, guidelines and policies as a guide for collaboratively implementing a volunteer agricultural easement program. In 2007 the process has included participation of land trusts and habitat conservation managers throughout the Delta. The Commission's GIS specialist completed mapping overlays, based on parameters developed by the group, for continued discussion as the process progresses. Participation in the process will continue to grow as agricultural commissioners, farm bureau representatives, local government planners, and others are encouraged to join the table of discussion.





### The Great California Delta Trail

Addressing the mandates required by the signing of Senate Bill 1556 is underway with the development of a concept for initiating the first phase of the trail feasibility and planning process. The Commission will be assisted by Valley Vision for implementing the concept in 2008. Grant and mitigation funding is being solicited to support the process. To date, a grant from the National Park Service has been awarded to provide staffing support and expertise. Other sources of funding and partnership support are continuing to evolve, including with entities such as CalTrans, the Coastal Conservancy, East Bay Parks, State Department of Parks and Recreation, and others.

*The Delta Trail Collaborative planning process began in 2007.*

### Working Landscapes Demonstration Projects Program

Recognizing the importance of promoting habitat-friendly agricultural practices in the Delta, the Commission was successful in securing grant funding to implement demonstration projects utilizing such practices, in partnership with Ducks Unlimited, The Nature Conservancy, and Hart Restoration. The projects will be implemented over a three-year period, commencing in 2008. A component of the program will be to develop an understanding of what makes habitat friendly agricultural projects palatable to agricultural interests and what are the challenges that need to be addressed to continue such a program over time.



### Lower Bypass Collaborative

As unfortunately demonstrated at Prospect Island in late 2007, the diverse interests and jurisdictional oversight in the Delta presents a challenge to effective program management. Recognizing the importance of addressing the need for collaborative and coordinated ecological and agricultural resource management, the Commission was successful in securing grant funding to implement a collaborative process to discuss options for management of the Lower Yolo Bypass. The process to be facilitated by the Center for Collaborative Policy, with the Commission and the Yolo Basin Foundation as partners, will be initiated in early 2008.

### Implementation of 2006-2011 Strategic Plan

Although the Strategic Plan adopted in 2006 is a five-year business plan that provides program goals and strategies for the Commission, consistent with the Act, it provides for prioritization of program and administration tasks/deliverables annually. The details of the Plan as well as the tasks identified for accomplishment in 2007 are provided in subsequent sections of this report. The Plan demonstrates the ability of the Commission to successfully evolve into adaptively managing the agricultural, environmental and recreational resources of the Delta through effective land use oversight in 2007.

## THE ACT

The Delta Protection Act (Act) was adopted by the Legislature in 1992 and subsequently amended in 1996, 1998, 1999, and 2000. The Act, codified in the Public Resources Code beginning with Sections 29700, is also known as the Johnston-Baker-Andal-Boatwright Delta Protection Act of 1992.

The Act was created pursuant to findings and declarations of the Legislature that the Sacramento-San Joaquin Delta is a natural resource of statewide, national, and international significance, containing irreplaceable resources. Furthermore, the Legislature found and declared that it is the policy of the State to recognize, preserve, and protect those resources of the Delta for the use and enjoyment of current and future generations. Thus, the Commission serves as an appeal body relative to land use decisions involving projects in the Primary Zone of the Delta.

The Delta Protection Commission (Commission) was created under the Act. The diverse composition of the Commission provides for stakeholder representation in the areas of agriculture, habitat, and recreation.

The twenty-three members of the Commission include: landowners from North, South, West, and Central Delta Reclamation Districts/Water Agencies; a member of the County Board of Supervisors from each of the five Delta counties (Sacramento, San Joaquin, Contra Costa, Yolo and Solano); a representative from the Sacramento Area Council of Governments (SACOG), the Association of Bay Area Governments (ABAG), and the San Joaquin Council of Governments (SJCOG); high-level leaders from the California Department of Fish and Game, California Department of Parks and Recreation, California Department of Boating and Waterways, California Department of Water Resources, California Department of Food and Agriculture, and the California State Lands Commission, as well as the Delta representative on the Bay Delta Authority; and three residents of the Delta representing agriculture, environment, and recreational interests. Ex-officio members of the Commission are Senator Mike Machado and Assemblywoman Lois Wolk.

*The 23 Commission members represent:*

- Delta Reclamation Districts/Water Agencies
- Counties of Contra Costa, Sacramento, San Joaquin, Yolo, Solano
- 3 regional Councils of Government
- 6 State agencies
- The Bay Delta Authority
- Delta residents/landowners representing agriculture, environment and recreation
- Ex-officio: Senator Mike Machado/Assemblymember Lois Wolk

As called for in the Act, a Land Use and Resource Management Plan for the Primary Zone (Regional Plan) was prepared and adopted by the Commission in 1995. The Management Plan sets out findings, policies, and recommendations resulting from background studies in the areas of environment, utilities and infrastructure, land use, agriculture, water, recreation and access, levees, and marine patrol/boater education/safety programs. In conformance with the provisions of the Act, local government general plans are to provide for consistency with the provisions of the Regional Plan. The Commission serves as an Appeal body in the event an action of a local entity on a project located within the Primary Zone is challenged as being inconsistent with the Act or the Regional Plan.

Provisions of the Act require that on January 1 of each year, the Commission submit to the Governor and the Legislature a report describing the progress that has been made in achieving the objectives of the Act and the relevant sections of the Public Resources Code. The opportunity is therefore provided to share highlighted 2007 accomplishments of the Commission.

## **2006-2011 STRATEGIC PLAN**

The 2006-2011 Strategic Plan adopted by the Commission in 2006 and implemented in 2007 provides the framework and work plans for proactively and effectively carrying out the provisions of the Act and the implementation of the Regional Plan while utilizing existing authority. The Strategic Plan is a five-year business guide for the Commission that includes strategies, and annual tasks and deliverables for accomplishing the Commission's vision and mission. It also provides for compatibility with the Delta visioning process and a structure from which to build on relative to the establishment of an enhanced land use governance authority in the Delta. Primary components of the Plan include:

*The Strategic Plan is a 5-year business plan including strategies, annual tasks & deliverables to accomplish the Commission vision and mission.*

- Purpose of Commission, and Opportunities and Threats to the Delta;
- Commission Vision and Mission, and associated Health Indicators for the Delta;
- Program, Funding, and Leadership Strategies;
- Strategic Work Plan Goals for Program Administration; and
- Strategic Work Plan Goals for Implementation of the Regional Plan.

### **Purpose of Commission and Opportunities and Threats to the Delta**

As part of the Strategic Plan process the Commission reviewed its purpose and identified opportunities for, and threats to, achieving that role as follows:

The purpose of the Commission is to protect, preserve and enhance the Delta as it exists today serving multiple functions, including, but not limited to, agricultural land preservation, habitat protection, and enhancing recreational opportunities.

Threats to achieving the stated purpose were identified as including: insufficient levee integrity (including subsidence); proximity to seismic fault zones; population growth and increased demands on all infrastructure elements of the Delta; potential increase in water supply demand for 23 million plus Californians; urban encroachment in the Primary and Secondary Zones; market pressures on agribusiness, i.e., conversion of ag land to non-agriculture uses; insufficient integrated regional planning and implementation; disputes over public access; environmental influences such as invasion of non-native species in the waterways, rising ocean levels, water quality issues, etc.; and greater need for Commission stewardship and social responsibility, e.g., abandoned vessels, dumping and pollution.



### **Health Indicators**

Noted below are the health indicators identified and taken into consideration in the development of the vision and mission pursuant to the adoption of the Strategic Plan.

- An integrated approach to water, land use and resource management planning sufficient to protect, maintain, enhance and restore the cultural and economic sustainability of residents, businesses, agricultural and recreational interests consistent with a healthy ecosystem.





- Sufficient flood protection (e.g., levee maintenance and improvement, and subsidence mitigation) for residential, commercial, agricultural and public infrastructure.
- Sufficient fresh water flow and water quality in and through the Delta to meet the needs of Delta water uses (residential, commercial and agricultural), recreation, habitat preservation and water quality.

### Program, Funding and Leadership Strategies

Implementation of the strategies developed for accomplishing the vision and mission were initiated in 2007 (*see accomplishment details highlighted in subsequent section of this report*).

#### Program

- Effectively integrate the Regional Plan into local government general plans by working proactively with local planning departments to ensure full integration of the Regional Plan into general plans.
- Act as the appeal body for inconsistencies between general plans and the Regional Plan.
- Implement the Regional Plan on a prioritized basis and consistent with the Act through development and implementation of annual work plans that target implementation needs flexibly and in partnership with stakeholders.
- Participate actively in the development of a long-range Delta-wide vision and management plan in which the Regional Plan would be included.
- Initiate a proactive approach to collaborative participation in legislative and regulatory efforts so that the Commission's influence is represented in all discussions of proposed relevant legislation and regulatory change.

#### Funding

- Continue to receive funds as designated under the Act by submitting Budget Change Proposals in 2006-07 to restore the budget for 2007-2008.
- Maximize funding allowable under the Act by applying for grants, pursuing bond opportunities, considering member contributions for specific activities and tasks, and pursuing other financial support as permitted by the Act such as gifts, donations, rents, royalties, and other financial support from private sources.
- Efficiently manage the Commission's resources through the streamlining of Budget Unit components.
- Participate in collaborative efforts to develop funding strategies that fully consider the economic benefits and costs of achieving the Commission's vision of the Delta.
- Promote strategies for the funding, acquisition, and maintenance of voluntary cooperative arrangements, such as conservation easements between property owners and conservation groups that protect wildlife habitat and agricultural land, while not impairing the integrity of infrastructure, including levees.

#### Leadership

- Ensure a well-informed and effective membership body of Commissioners that reflects the diversity of Delta stakeholders by developing and implementing a Commissioner orientation program, and establishing meeting attendance norms and processes.
- Hire the best qualified and highest performing staff possible to carry out the responsibilities of the Commission, consistent with the Act and the Strategic Plan by

evaluating long-term needs for positions and levels of expertise, and developing comprehensive human resources policies and implementing them consistently for all staff according to state requirements and policies.

## **EFFECTIVENESS IN PRESERVING AGRICULTURE, HABITAT AND RECREATION**

Goals for implementation of the Regional Plan have been identified as a component of the Strategic Plan, consistent with the Act. Annual tasks were identified for 2006/2007 and 2007/2008, and will continue to be identified annually over the term of the Five-Year Plan. Status of progress made in achieving each task is tracked on a quarterly basis. The following is a synopsis of significant accomplishments in each area of the Regional Plan in 2007.

### Overall Plan Implementation

Goals: Complete summary of accomplished policy recommendations cited in the Regional Plan; establish priority/timeline for completion of remaining tasks; identify unaddressed areas; and develop tools for proactive “integration” of Regional Plan into local general plans and planning resources resulting in a positive rather than adversarial image for the Commission.

#### **Tasks/Status of Accomplishment:**

Track project proposals in the Primary and Secondary Zones with an early intervention approach. *A draft Delta project checklist has been developed (with input from the five Delta counties) to assure the policies of the Regional Plan are considered when processing a project application for projects in the Delta. The checklist was provided to local planning entities in 2007 for use as a tool when considering projects within the Delta, particularly in the Primary Zone.*

*Four of the five Delta counties are undergoing General Plan updates. Commission staff has been working successfully with these entities to incorporate a “Delta Element” or “Delta Chapter” into their general plans in order to assure recognition of the policies of the Commission’s Regional Plan.*

Play an integral role in assuring stakeholder input into Delta visioning processes. *The Commission has actively participated in the Delta visioning process through representation of six members on the Delta Vision Stakeholder Coordination Group and the Executive Director’s participation as a member of the Delta Vision Planning Team. The Commission’s participation in the process has been invaluable with respect to assuring that the diverse interests of the Delta are provided avenues for input. Additionally, the Commission has been instrumental in keeping local entities and stakeholders informed about the process and avenues for effective input.*

*The Commission also provided a letter of concept for governance to the Blue Ribbon Task Force that provides tools for consideration that encourages enhancement of the Commission’s existing structure utilizing existing authorizations and taking into consideration other models of example. Basically, it promotes a locally-driven structure to carry out time sensitive mandates for accomplishing benchmarks established through a statewide process such as Delta Vision. The update of the Commission’s Regional Plan is a component of initiating this concept.*

Initiate process to collect input to develop an annual survey of land use changes and growth pressures within the Delta Primary and Secondary Zones, relevant to the Act and the Regional Plan.

***The Commission reviewed 16 new projects in 2007 for consistency with the Regional Plan according to the mandate of the Delta Protection Act. This was a decrease as compared to 2006 and 2005 as can be seen from Attachment D. Most of the projects reviewed in 2007 were in Contra Costa and Sacramento counties. The projects reviewed in 2007 were about evenly divided in the Primary and Secondary Zones. They included such diverse activities as, in the primary zone: parcel splits, habitat projects, a Delta Visitors' Center, and a special Planning Area designation. In the Secondary Zone, projects reviewed included proposed residential and commercial construction, a specific area plan, a general plan amendment, a master planned community, a road widening project, and a boat launch ramp. It appears that the slowdown in construction in the state and nation was reflected in the Delta as well, in 2007.***

Pursue authority to amend the Regional Plan, if determined by the Commission to be needed pursuant to review of accomplishments and identification of unaddressed areas required to comply with the Act.

*The Commission identified the need to update the Regional Plan.*

***Acknowledging that the Regional Plan was completed more than ten years ago and recognizing that natural influences such as climate change and geologic hazards as well as factors such as increased population growth and demands on natural areas has resulted in the Commission prioritizing the need to update the Regional Plan. A concept for initiating a process that includes opportunities for public input has been completed for beginning the update in early 2008.***

### Environment

Goals: Preserve and protect the natural resources of the Delta, including soils; promote protection of remnants of riparian habitat; promote seasonal flooding and agriculture practices on agricultural lands to maximize wildlife use of the hundreds of thousands of acres of lands in the Delta; and promote levee maintenance and rehabilitation to preserve the land areas and channel configurations in the Delta by enhancing educational awareness of the benefits of an adaptive working landscapes approach to managing agricultural and habitat resources; exploring options for balancing environmental mitigation with other lands uses, including agriculture and flood protection; and exploring options for land use practices (BMP) that reduce or reverse subsidence.

### ***Tasks/Status of Accomplishment***

Apply for Working Landscapes grant to implement demonstration projects and educational awareness.

***Partnering with Ducks Unlimited, The Nature Conservancy and Hart Restoration, the Commission applied for a Working Landscapes Grant to conduct habitat-friendly ag demonstration projects with local landowners. The grant was awarded in the amount of \$800,000 for implementation in 2008. It will result in landowner-participation projects and an analysis of ways to effectively implement and promote such projects.***

Co-sponsor Lower Bypass Management Plan development with Yolo Basin Foundation.  
*As follow-up to a feasibility study that was completed in 2005 that determined collaboration would be an effective approach to developing management options for the Lower Yolo Bypass, the Commission as a partner with Yolo Basin Foundation and Center for Collaborative Policy (CSUS) was awarded funding from the Department of Fish and Game to move forward with a public input process. A kick-off meeting is being planned for early 2008.*

Provide input into development of Yolo Wildlife Area Management Plan by Department of Fish and Game.  
*Staff has participated in the process through the attendance of workshops and formal comments to assure Delta stakeholder perspectives are taken into consideration and to assure consistency with the policies of the Commission's Regional Plan.*

Participate in efforts to address invasive species issues.  
*The Commission has facilitated educational outreach and support for partner agencies that include Boating and Waterways and the Department of Fish and Game relative to the impacts of invasive species on the Delta environment, particularly water quality and fisheries.*

Participate in discussions to identify and recognize impacts/benefits/compensation costs associated with mitigation.  
*The Commission has provided assistance to the Undersecretary for Resources to coordinate and facilitate the inclusion of local conservation plan representatives in the process to develop a Bay Delta Conservation Plan. Through this coordinated forum, rapport has been encouraged to assure effective utilization of resources and input.*

#### Utilities and Infrastructure

Goals: Protect the Delta from excessive construction of utilities and infrastructure facilities, including those that support uses and development outside the Delta. Where construction of new utility and infrastructure facilities is appropriate, ensure the impacts of such new construction on the integrity of levees, wildlife, and agriculture are minimized.

#### *Task/Status of Accomplishment*

Pursue authority to include a member with transportation expertise on the Commission.  
*A legislative concept to include a state transportation representative on the Commission was submitted to the Secretary for Resources for consideration in 2008.*

#### Land Use

Goals: Protect the unique character and qualities of the Primary Zone by preserving the cultural heritage and strong agricultural base of the Primary Zone. Direct new residential, commercial, and industrial development within the existing communities as currently designated and where appropriate services are available.

#### *Task/Status of Accomplishment*

Actively participate in the Administration's Delta Vision process.

*The Commission has actively participated in the Delta Vision Process through the representation of six members of the Commission on the Delta Vision Stakeholder Coordinating Committee and the participation of the Commission's Executive Director on the Delta Vision Planning Team. The Commission has actively facilitated and promoted outreach efforts to effectively fulfill the role of "liaison" between state representatives and Delta interests/stakeholders.*

*The Commission is actively participating in the Delta Vision Process.*

*The Commission's structure and the diverse components of the Regional Plan provide a basis upon which to build in the development of outcomes resulting from the Delta vision process, including the potential for an enhanced governance structure. At the invitation of the Chair of the Delta Vision Blue Ribbon Task Force, the Commission provided the Task Force with a concept for developing a governance structure utilizing existing models and authorizations, enhanced as appropriate and feasible toward an entity that is locally driven to provide oversight of a management structure (including time-sensitive mandates and benchmarks) developed through a statewide process.*

Pursue partners to evaluate potential establishment of Delta conservation easement program.

*The Commission is facilitating a Delta agricultural easement program discussion group.*

*Pursuant to the provisions of Assembly Bill 797 signed into law by the Governor effective January 2007, the Commission has worked in partnership with the Department of Conservation, American Farmland Trust, and local county land trusts to initiate a process for developing principles and guidelines for the development of an active program, including effective incentives for potential partners and voluntary landowners. A significant product of discussions in 2007 was the completion of GIS overlays documenting data relative to flood elevations, urban encroachment, crop patterns, soil components, and other relative factors that will assist the group in prioritizing areas of concern and those that would be candidate for easements. The discussions will continue to evolve in 2008 with the inclusion of ag interests and local government planners, among other interests.*

Pursue development of a metes and bounds description for the Primary Zone boundary.  
*This task will be considered during the Regional Plan update process.*

Work with Department of Fish and Game to enhance Delta-wide reference sources.  
*Through the coordination efforts of the Commission, GIS overlays of the five county habitat conservation plan areas, relative to the Bay Delta Conservation Plan have been completed. The Commission has also coordinated with the Department of Fish and Game to incorporate the Natural Diversity Data Base into the Commission's GIS resource data base.*



#### Agriculture

Goals: Support long-term viability of commercial agriculture and discourage inappropriate development of agricultural lands by establishing forums for Delta-wide collaboration among agricultural interests on common activities and issues, and establishing a program for Delta agricultural easements.

#### Task/Status of Accomplishment

Meet routinely with Ag Commissioners, Farm Bureau and Resource Conservation District representatives to identify Delta-wide issues.

*In 2007 the Commission's rapport with county ag commissioners, Farm Bureau representatives, and county RCD's and the Delta Resource Conservation and Development Council has been solidified through collaboration and coordination on a number of Delta issues and activities including Delta Vision, agricultural easement program development, habitat friendly agricultural projects, water quality monitoring program proposals, and land use proposals.*



Develop and implement Delta-wide rodent control program as it relates to levee maintenance. *Contract shared by Contra Costa and San Joaquin counties is being used as a model for developing a five-county contract if determined such approach is cost effective.*



Identify strategies and components of a voluntary agricultural easement program, including exploration of incentives.

*The Commission has taken the lead role in facilitating discussions to develop guidelines and principles for establishment of a volunteer landowner agricultural easement program as reinforced by the signing of Assembly Bill 797 by the Governor effective January 1, 2007. Discussions have included input from local land trusts and regional land interests, as well as local habitat easement program representatives. Discussions will continue to evolve through the inclusion of ag interests and local planners. A significant accomplishment in 2007 relative to this project has been the completion of GIS overlays, by Commission staff, to be used as tools for prioritizing lands for potential easements throughout the Delta.*

Support the California Delta Resource Conservation and Development Council.

*Commission staff has provided administrative support to the RC&D and has taken the lead in promoting the completion of a strategic plan. Significant in 2007 has been the Commission's efforts to seek support from the NRCS to designate permanent status for the RC&D.*



#### Water

Goals: Protect long-term quality in the Delta for agriculture, municipal, industrial, water-contact recreation, and fish and wildlife habitat uses, as well as all other designated beneficial uses through the development of programs for Delta-wide collaboration to effectively and efficiently address water quality issues, including salinity intrusion, and participation in data collection/monitoring programs relative to salinity (X2).

#### **Task/Status of Accomplishment**

Facilitate collaborative to work with Central Valley Regional Water Quality Control Board to “effectively” establish mandated Mercury TMDL program.

*The Mercury Collaborative created and facilitated by the Commission in 2006 continued to effectively and efficiently provide input to the Regional Water Quality Control Board relative to the development of a Mercury TMDL program for the Delta. This effort has been successful through the participation of the diverse interests of the Delta through the encouragement of the Commission.*

Support solicitation of funding for mercury monitoring through legislative opportunities and resource bonds.

*Staff has participated in discussions relative to legislation introduced both in 2006 and 2007 to assure Delta interest representation and to explore creative opportunities to address issues relative to mercury monitoring costs from a regional rather than merely a local approach.*

Provide input into development of South Delta and North Delta Improvement Programs.

*The Commission has actively participated in discussions relative to both improvement programs and has been instrumental in exploring potential long-term acquisition options for assuring the programs are implemented. Additionally, Commission staff is participating in the State Water Plan Update as a member of the Planning Advisory Team.*

Participate in DWR/RWQCB discussions regarding Suisun Marsh salinity monitoring program (California data Exchange Network), including identification of indicators and objectives.

***The Commission Executive Director is a member of the Delta Risk Management Strategy Steering Committee through which the salinity issue is being discussed. Additionally, the Commission's representatives on the Delta Vision Stakeholder Coordination Committee have provided input relative to water conveyance and salinity. The Commission has also facilitated informational discussions relative to the impact of invasive species on water quality in general.***



#### Recreation and Access

Goals: Promote continued recreational use of the land and waters of the Delta. Ensure that needed facilities that allow such uses are constructed, maintained, and supervised. Protect landowners from unauthorized recreational uses on private lands. Maximize dwindling public funds for recreation by promoting public-private partnerships and multiple uses of Delta lands by establishing programs for recognition of the value of recreational access to appreciate the unique resources of the Delta.



#### Task/Status of Accomplishment

Provide forum for stakeholder-driven development of Delta Trail. ***Consistent with the mandates of Senate Bill 1556 (signed into law in 2007), the Commission has initiated the process for completing a feasibility study and plan for creation of a trail network linking the Bay area with the Sacramento area. A concept has been developed for initiation in 2008 to include extensive stakeholder input into the trail planning process. Commission staff will be assisted by Valley Vision and the National Park Service in the facilitation of the planning process. Funding will continue to be solicited in 2008.***

Facilitate development of Delta branding concept, including visitor center and delta-wide signage that recognize the resources of the Delta, including the cultural/historical values.

***The Commission was successful in seeking funding in the amount of \$86,000 from the five Delta counties to support the construction of a Delta Visitor Center at the intersection of Highways 12 and 160. Additionally, the Commission successfully worked with the five Delta counties to create and install "Welcome to the Delta" signs in every county.***

Seek funding for completion of Riparian/Terrestrial component of Recreation Master Plan Strategy.

***Grant funding opportunities have been explored to support this project.***

#### Levees

Goals: Support the improvement and long-term maintenance of Delta levees by coordinating permit reviews and guidelines for levee maintenance. Develop a long-term funding program for levee maintenance. Protect levees in emergency situations. Give levee rehabilitation and maintenance the priority over other uses of levee areas by pursuing efforts to enhance recognition of public health and safety as a priority.

**Task/Status of Accomplishment**

Provide input on infrastructure bond and legislation to express support for public health and safety projects.

***The Commission submitted letters of support to Congress and the Governor for Delta infrastructure projects. Additionally, the Commission has encouraged local government and stakeholder participation in Flood Safe workshops to assure awareness of opportunities for bond funding for local infrastructure projects.***

Support Delta Levees Subventions Program.

***Provided analyses to Resources Agency in support of funding and extension of subventions program which was successfully extended pursuant to the Governor's signing of pertinent legislation effective January 1, 2007.***

Support Delta Risk Management Strategy (DRMS).

***The Commission is represented by the Executive Director on the DRMS Steering Committee to assure recognition of and consistency with the Regional Plan.***

Support Long-Term Management Strategy (LTMS) for Dredging (re-use) and permit streamlining.

***The Commission continued to actively provide input into the development of a long-term management strategy for dredging through representation of a Commission Member on the Executive Committee and representation on the Management Committee by the Executive Director.***

Facilitate forums of discussion on Delta-wide emergency response and other hazard-related topics.

***In follow-up to the local electeds summit facilitated by the Commission in 2006, which lead to the development of a Statement of Compelling Need, Resolution of Delta local entity commitment, and development of five-county agreement for creation of Delta-wide OES Team and Emergency Response Plan, the Commission has entered into agreements with the Center for Collaborative Policy, and the Office of Emergency Services and Department of Water Resources, as partners, to facilitate a process to identify existing plans, determine where gaps exists, and move forward with the development of a Delta-wide Plan that promotes coordination and collaboration on both the technical and social aspects of emergency planning and response.***

Marine Patrol, Boater Education, and Safety Programs

Goals: Pursue opportunities for development of Delta-wide programs to enhance boater awareness and an appreciation for recreational boating.

**Task/Status of Accomplishment**

Facilitate forum for collaboratively addressing abandoned vessel issue with a Delta-wide approach.

***In follow-up to efforts initiated in 2006, Commission staff continued to facilitate discussions of the five county abandoned vessel removal discussion group. In 2007, this effort resulted in all five Delta counties seeking grant funding from the Department of Boating and Waterways for abandoned vessel removal. One of the significant areas of removal was Mayberry Slough in which boater safety was put at risk as a result of spuds being partially exposed from a sunken barge. The Commission was instrumental in coordinating the multiple jurisdictions having authority over the area toward successful removal of the hazard (to be completed in early 2008). Additionally, the Commission played a key role in coordinating efforts to reinstate a safety marker buoy in the same vicinity.***

Support efforts to develop streamlined application process for grants relative to abandoned vessel removal.

***Submitted budget change proposal for establishment of 10% grant match fund within DPC to assist local entities in applying for grant funding from Boating and Waterways to address abandoned vessel problems in a timely manner (will pursue in 2008). Provided support for inclusion of grant facilitation assistance in grant application from Contra Costa County (awarded). This streamlined process will result in more counties participating in the program and securing funding for abandoned vessel removal.***

Facilitate pursuit of legislation to address “commercial” abandoned vessel issue.

***The Abandoned Vessel Discussion Group facilitated by the Commission has had discussions to determine ways to address the removal of commercial abandoned vessels. Options being explored include: development of a statewide ordinance; legislation; collection of funding support through a variety of fee sources similar to what is used to address abandoned vehicles. These discussions will continue in 2008.***

Provide forums of discussion on water conveyance proposals to assure boating perspective is represented.

***The Commission representatives in the Delta Vision process have supported the input of boating interests relative to boating issues associated with water conveyance. This support will continue during the Delta Vision Strategic Planning process.***

In summary, the accomplishments of the Commission in 2007 have been guided by the Strategic Plan adopted in 2006. Staff will continue to work toward accomplishing all tasks identified for 2007-2008, and to identify new tasks for adoption by the Commission for 2008-2009.

Participation in the development of a Delta Vision Strategic Plan (and related processes – DRMS/BDCP), development principles and guidelines for an agriculture conservation easement program, facilitation of communication and collaboration toward effective land use decisions, promoting statewide recognition of the Delta and the Commission, and facilitation of a stakeholder-driven process for development of the Delta Trail will continue to be of priority for accomplishment in 2008. The Commission will also continue to explore opportunities for effectively and efficiently fulfilling its governance role in protecting, preserving and enhancing resources for those who live, work and play in the Delta.

**ATTACHMENTS**

- A.** Map of the Sacramento-San Joaquin Delta
- B.** Delta Protection Commission Roster
- C.** 2006-2011 Strategic Plan (adopted July 2006)
- D.** 2005-2007 Project Review
- E.** Photo Sources



## **Attachment E**

The photos in this reported were provided by the following sources:

- DPC Staff
- AJ Fardella
- Students and Faculty of the Fall 2006 course at UC Berkeley, CP 261/LA 242, “Citizen Participation in the Community Design Process”
- Students and Faculty of the Fall 2007 course at UC Berkeley, LA 203, “Shaping the Public Realm”